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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,750	06/10/2005	Wolfgang Clemens	411000-122	6074
<div>7590 11/25/2008</div> <div>Carella Byrne Bain Gilfillan</div> <div>5 Becker Farm Road</div> <div>Roseland, NJ 07068</div>				
<div>EXAMINER</div> <div>HO, HOANG QUAN TRAN</div>				
<div>ART UNIT</div> <div>2818</div>		<div>PAPER NUMBER</div>		
<div>MAIL DATE</div> <div>11/25/2008</div>		<div>DELIVERY MODE</div> <div>PAPER</div>		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**DETAILED ACTION**

***Response to Arguments/Remarks***

Applicant's response filed on November 12, 2008 is acknowledged and is answered as follows.

Applicant's arguments, see pgs. 4 – 9, with respect to the rejections have been fully considered but they are not persuasive in view of the following reasons.

Applicant argued that the combination of Bao and Carey are improper. Carey is combined with Bao in order to show that the biaxially stretched substrate is well known in the art to be provided and used by one of ordinary skill in the art when considering Bao's disclosure. This is clearly noted in Note 1 on pg. 4 (and the like) of the Final Office Action.

Applicant argued the combination of Bao, Carey and Shi are improper. It is pointed out that Shi discloses uniaxial stretched substrate while Bao and Carey are biaxially stretched substrate. The Examiner would like to point out that Bao discloses that biaxially stretched substrate material is known in the art to also provide enhanced operational characteristics for the transistor. The combination of Bao and Shi are obvious in view of Bao's disclosure to enhance carrier mobility between source and drain regions as noted in Note 2 on pg. 5 (and the like) of the Final Office Action.

In view of the foregoing reasons, the Examiner believes that all Applicant's arguments and remarks are addressed. The Examiner has determined that the previous

Office Action is still proper based on the above responses. Therefore, the rejections are sustained and maintained.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang-Quan T. Ho whose telephone number is 571-272-8711. The examiner can normally be reached on Monday - Friday, 9 AM - 5 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Loke can be reached on 571-272-1657. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hoang-Quan T Ho/

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Examiner, Art Unit 2818

November 21, 2008

/Andy Huynh/

Primary Examiner, Art Unit 2818